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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,918	10/30/2003	Bryan Christopher Chagoly	AUS920030809US1	9646

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EXAMINER
ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
3628	

NOTIFICATION DATE	DELIVERY MODE
04/18/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptonotifs@yeeiplaw.com

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 January 2008*.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-21* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   In view of the **Appeal Brief** filed on **1/17/08,** PROSECUTION IS HEREBY

REOPENED. **A new ground of rejection is** set forth below.

To avoid abandonment of the application, appellant must exercise one of the following

two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37

CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an

appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal

brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37

CFR 41.20 have been increased since they were previously paid, then appellant must

pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by

signing below:

/JOHN W HAYES/

Supervisory Patent Examiner, Art Unit 3628

Status of Claims

2.   Due to communications filed 3/19/07, the following is a non-final office action.

Claims 1-21 are pending in this application and have been examined on the merits.

Prosecution has been re-opened. Claims 1-21 are rejected as follows.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1, 3, 4, 7-11, 13, 14, 17-21 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Mougin et al (US 2005/0261945 A1).

As per claim 1, Mougin et al discloses:

Retentively storing a user profile in a profile database, wherein said user profile

contains at least one user preference concerning preferred parking parameters that

pertain to a parking space, ([0038], storage means in order to store the data about

users and profile the users, w/ [0015], shows that the booking request parameters relate

to the destination, date, duration, associated service, payment method and/or booking

price, which is all information that relates to the user selections, thereby suggesting that

the storage means stores this parameter data, where the parameter data represents the

preference data of the user since the user has made these particular selections in the

request, w/([0026], a database containing the data relating to the requests);

providing a parking database including data concerning parking parameters for each of a plurality of parking spaces under the control of a parking management system, ([0072]-[0073], database 20 can be created and updated by the car park operator via the Internet, e. g. with a daily update of the number of spaces allocated);

determining a list of available parking spaces, ([0042], can send to user offers of one or more spaces available for booking); and

responsive to a user communication with the parking management system, retrieving from said profile database a previously stored user profile containing said at least one user preference, ([0040]-[0041], shows the search for the best vacant parking space is based on database); and

responsive to said user communication with the parking management system, providing an optimal available parking space based on the previously stored user profile, the parking database, and the list of available parking spaces, ([0040], locating best vacant parking space that meets the parameters defined by the user).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to specifically store at least one user preference data with the motivation of using stored preferences to determine the availability of parking spaces.

5.   Claims 1, 3, 4, 7-11, 13, 14, 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mougin et al (US 2005/0261945 A1), and further in view of Squire et al (US 6,970,101).

As per claims 3, 13, Mougin et al does not specifically disclose the following, however, does disclose parking parameters as shown above in the rejection of claim 1 in [0038] and [0015].

However, Squire et al discloses:

wherein the data concerning preferred parking parameters includes a set of parameters and, for each parameter within the set of parameters, a preference value and a priority, (col. 8, lines 25-31, prioritized list, w/ col. 10, lines 18-37, list of customer preferences is stored to represent each preference relative to importance, especially, lines 22-32, [see chart], where the set of parameters = handicapped parking, safety level, etc, preference values = 1,2, and priority = P1, P2, etc). Squire et al discloses this limitation in an analogous art for the purpose of showing that a prioritized list is used to match a vehicle with a vacant parking space.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include a preference value and a priority for parking parameters with the motivation of assigning a space according to the importance to the vehicle operator.

As per claims 4, 14, Mougin et al does not specifically disclose the following, however, does disclose parking parameters as shown above in the rejection of claim 1 in [0038] and [0015].

However, Squire et al discloses:

wherein the user profile is a default profile, (Col. 10, lines 14-17, some data regarding customer preference may be assessed automatically, w/ lines 33-34, default

value applied). Squire et al discloses this limitation in an analogous art for the purpose of showing that all information not specifically selected by a user is set to default values.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the user profile to be a default profile with the motivation of applying a default value to values that are not present.

As per claims 7, 17, Mougin et al discloses:

wherein said stored user profile contains at least one user preference concerning a parking parameter selected for a group that includes *at least one* of an identification, an indication of whether a parking space is occupied, an indication of whether the parking space is designated as handicapped, an indication of whether a pole is on one side of the parking space, a distance from an elevator lobby, a distance from an entrance or exit, and an indicator of whether the parking space is on an end of a row, ([0076], occupancy).

As per claims 8, 18, Mougin et al discloses:

wherein determining a list of available parking spaces includes receiving sensor information from a plurality of sensors, wherein each sensor within the plurality of sensors indicates whether a given parking space is occupied, ([0054], detection device).

As per claims 9, 19, Mougin et al discloses:

wherein providing an optimal available parking space includes outputting the optimal available parking space to an output device, ([0058, device).

As per claim 10, 20, Mougin et al discloses:

wherein output device is one of a display and a printer, ([0058, printed)

As per claim 11, Mougin et al discloses:

a parking management system, ([0005])

a profile database for retentively storing a user profile that contains at least one

user preference concerning preferred parking parameters that pertain to a parking

space, ([0038], storage means in order to store the data about users and profile the

users, w/ [0015], shows that the booking request parameters relate to the destination,

date, duration, associated service, payment method and/or booking price, which is all

information that relates to the user selections, thereby suggesting that the storage

means stores this parameter data, where the parameter data represents the preference

data of the user since the user has made these particular selections in the request,

w/([0026], a database containing the data relating to the requests); and

a parking database including data concerning parking parameters for each of a

plurality of parking spaces under the control of a parking management system, ([0072]-

[0073], database 20 can be created and updated by the car park operator via the

Internet, e. g. with a daily update of the number of spaces allocated).

wherein the parking management system determines a list of available parking

spaces, and, in response to a user communication with the parking management

system, retrieves from said profile database a previously stored user profile containing

said at least one user preference, and, in further response to said user communication,

provides an optimal available parking space based on the previously stored user profile,

the parking database, and the list of available parking spaces, ([0042], can send to user

offers of one or more spaces available for booking, [0040]-[0041], shows the search for

the best vacant parking space is based on database, [0040], locating best vacant

parking space that meets the parameters defined by the user).

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention to specifically store at least one user preference data with the

motivation of using stored preferences to determine the availability of parking spaces.

As per claim 21, Mougin et al discloses:

instructions for determining a list of available parking spaces, ([0042], can send

to user offers of one or more spaces available for booking); and

instructions, responsive to a user communication with a parking management

system, for providing an optimal available parking space based on a user profile

retentively stored in a profile database, wherein said user profile contains at least one

user preference, ([0040]-[0041], shows the search for the best vacant parking space is

based on database, [0040], locating best vacant parking space that meets the

parameters defined by the user), concerning preferred parking parameters that pertain

to a parking space, ([0038], storage means in order to store the data about users and

profile the users, w/ [0015], shows that the booking request parameters relate to the

destination, date, duration, associated service, payment method and/or booking price,

which is all information that relates to the user selections, thereby suggesting that the

storage means stores this parameter data, where the parameter data represents the

preference data of the user since the user has made these particular selections in the

request, w/([0026], a database containing the data relating to the requests), a parking

database including data concerning parking parameters for each of a plurality of parking

spaces under the control of a parking management system, ([0072]-[0073], database 20

can be created and updated by the car park operator via the Internet, e. g. with a daily

update of the number of spaces allocated), and the list of available parking spaces,

([0042], can send to user offers of one or more spaces available for booking).

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention to specifically store at least one user preference data with the

motivation of using stored preferences to determine the availability of parking spaces.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 2, 5, 6, are rejected under 35 U.S.C. 103(a) as being unpatentable over

Mougin et al (US 2005/0261945 A1) as applied to claim 1 above, and further in view of

Zeitman (US 5,940,481).

As per claim 2, Mougin et al does not specifically disclose the following, however,

does disclose parking parameters as shown above in the rejection of claim 1 in [0038]

and [0015].

However, Zeitman discloses:

wherein said previously stored user profile containing said at least one user

preference includes an identification of a user, (Col. 1, lines 46-49, database includes a

user identification, along with parking facility availability). Zeitman discloses this limitation in an analogous art for the purpose of identifying a user with information about parking facility availability through a database.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the user profile to include an identification of a user with the motivation of identifying the user profile having parking characteristics with a user identification through a database.

As per claim 5, Squire et al does not specifically disclose wherein said previously stored user profile containing said at least one user preference is selected in response to receiving an identification of a user, but does disclose a database that includes customer preferences in order to identify information about parking with the customer in Col. 11, lines 30-33, and lines 51-53.

However, Zeitman discloses:

wherein said previously stored user profile containing said at least one user preference is selected in response to receiving an identification of a user, (Col. 4, lines 16-23, user ID read to determine the user's specifics pertaining to a parking reservation). Zeitman discloses this limitation in an analogous art for the purpose of identifying a user with information about parking facility availability through a database.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the user profile to be selected responsive to receiving an identification of a user with the motivation of identifying the user profile having parking characteristics with a user identification through a database.

As per claims 6, Squire et al does not specifically disclose wherein the identification of the user is received by one of a card reader and a keypad interface, but does disclose a database that includes customer preferences in order to identify information about parking with the customer in Col. 11, lines 30-33, and lines 51-53.

However, Zeitman discloses:

wherein the identification of the user is received by one of a card reader and a keypad interface, (Col. 4, lines 16-23, card reader reads user identification data). Zeitman discloses this limitation in an analogous art for the purpose of using a card reader to identify a user with information about parking facility availability through a database.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the identification of the user to be received by one of a card reader and a keypad interface with the motivation of identifying the user profile having parking characteristics with a user identification through a database.

8.   Claims 12, 15, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mougin et al (US 2005/0261945 A1) as applied to claim 1 above, and further in view of and further in view of Squire et al (US 6,970,101), and further in view of Zeitman (US 5,940,481).

As per claims 12, 15, neither Mougin et al nor Squire et al specifically disclose wherein said previously stored user profile containing said at least one user preference is selected in response to receiving an identification of a user, but Mougin et al does disclose parking parameters as shown above in the rejection of claim 1 in [0038] and

[0015], and Squire et al does disclose a database that includes customer preferences in order to identify information about parking with the customer in Col. 11, lines 30-33, and lines 51-53.

However, Zeitman discloses:

wherein said previously stored user profile containing said at least one user preference is selected in response to receiving an identification of a user, (Col. 4, lines 16-23, user ID read to determine the user's specifics pertaining to a parking reservation). Zeitman discloses this limitation in an analogous art for the purpose of identifying a user with information about parking facility availability through a database.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the user profile to be selected responsive to receiving an identification of a user with the motivation of identifying the user profile having parking characteristics with a user identification through a database.

As per claim 15, neither Squire et al nor Mougin et al specifically disclose wherein said previously stored user profile containing said at least one user preference is selected in response to receiving an identification of a user, but Mougin et al does disclose parking parameters as shown above in the rejection of claim 1 in [0038] and [0015], and Squire et al does disclose a database that includes customer preferences in order to identify information about parking with the customer in Col. 11, lines 30-33, and lines 51-53.

However, Zeitman discloses:

wherein said previously stored user profile containing said at least one user preference is selected in response to receiving an identification of a user, (Col. 4, lines 16-23, user ID read to determine the user's specifics pertaining to a parking reservation). Zeitman discloses this limitation in an analogous art for the purpose of identifying a user with information about parking facility availability through a database.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the user profile to be selected responsive to receiving an identification of a user with the motivation of identifying the user profile having parking characteristics with a user identification through a database.

As per claim 16, neither Squire et al nor Mougin et al specifically disclose wherein the identification of the user is received by one of a card reader and a keypad interface, but Mougin et al does disclose parking parameters as shown above in the rejection of claim 1 in [0038] and [0015], and Squire et al does disclose a database that includes customer preferences in order to identify information about parking with the customer in Col. 11, lines 30-33, and lines 51-53.

However, Zeitman discloses:

wherein the identification of the user is received by one of a card reader and a keypad interface, (Col. 4, lines 16-23, card reader reads user identification data). Zeitman discloses this limitation in an analogous art for the purpose of using a card reader to identify a user with information about parking facility availability through a database.

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention for the identification of the user to be received by one of a card

reader and a keypad interface with the motivation of identifying the user profile having

parking characteristics with a user identification through a database.

Response to Arguments

9.   Applicant's arguments with respect to claims 1-21 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Akiba K Robinson-Boyce whose telephone number is

571-272-6734. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

•Patent Application Information Retrieval (PAIR) system, Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Customer Service Representative or access to the automated information system, call

800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-

3900.

A. R. B.
April 16, 2008

/Akiba K Robinson-Boyce/

Primary Examiner, Art Unit 3628